LIBERTY under the NEW DEAL

The Record for 1933-34

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Liberty Under the New Deal

THE enormous increase of the power of the federal government under New Deal policies carries with it inevitable fears of inroads on the right of agitation. Alarms are widely expressed over alleged dictatorship by the President, the abrogation of states' rights and the vast economic powers of the federal government, reaching out to every home and business in the land.

It should be said that the tendency of a government to suppress liberty depends not so much on its power as on its fear of losing it. New Deal policies represent the overwhelming support of the middle classes of the United States and of a considerable section of workers and farmers. The political support which brought the New Deal into office is still so overwhelming and the opposition so slight that there is yet no challenge to the government to restrict the rights of agitation of any group.

But New Deal measures interpreted to encourage the organization of trade unions have been met with an unparalleled resistance on the part of employers determined to maintain the open shop. Their answer to the government's encouragement of unionism has been company unions and the familiar old weapons of repression. The record of industrial conflict over the one year of the New Deal is without equal in recent years. Troops have been called out against strikers in six states. Police, gunmen, sheriffs, injunctions, all have been invoked in the effort to crush labor organizations. Scores of strikers have been killed or wounded. Hundreds have been jailed on the flimsiest pretexts.

On the whole, the New Deal administration has refused to interfere in this industrial strife to make good its implied support of trade unionism. Its intervention has taken the form of mediation or arbitration in order to prevent strikes or get strikers back to work. Government mediation has usually been at the expense of labor's rights. Where the rights to organize have been won, the record clearly shows
it is due on the whole to the determination of the workers not to governmental intervention.

The role of the New Deal in relation to labor's rights could easily have been forecast by those who understand that its main purpose is the preservation of the existing economic system. The Administration is frankly an ally of business. Codes are made by trade associations, and administered by them. Labor representation on code authorities is negligible. Labor occupies only an advisory relation to the regulation of business. The NRA is dominated by the great business associations of the country. Against the opposition of reactionary employers, it has been wholly unable to enforce its orders. Trade unions are not recognized as such. Company-controlled unions are recognized as serving the purposes of bargaining equally well.

Left-wing unions have been particularly hard hit because they find arrayed against them not only the employers but the American Federation of Labor as well. Negro workers under the NRA also find themselves at the disadvantage of being unable to organize in many of the A. F. of L. unions and therefore being unable to bargain collectively with their employers. Further, the New Deal has established a wage differential in the south with a lower wage standard obviously based on keeping Negro workers "in their place."

Serious in tendency are the government's moves in the direction of denying the right to strike. General Hugh Johnson has been plain in his denunciation of strikes. Like many other government officials he regards strikes as wasteful and antiquated, and government arbitration as far superior. Already in the coal code, compulsory arbitration is established in law. The tendency to resort to compulsory measures has spread to other industries. Despite the fact that the recent administration labor bill was amended in the Senate to reaffirm the right to strike, the actual working out of the machinery in practice tends to deny it.

Not in many years have the issues of civil liberty in the industrial struggle been so sharp, so widespread, so bitterly
fought as they have during the year of the New Deal's attempt to bring order out of industrial conflict. That labor organization has gained in numbers is obvious. That company unionism has more than kept pace with the gains of bona fide trade unions is equally plain. So too is the government's tendency toward regulation not only of labor relations but of the exercise of labor's rights. How far the government will go to aid employers depends largely on labor's militancy in asserting its rights.

The federal government's intervention in industrial conflict and in other fields brought a sharp change in front in the fight for civil liberties. Before the New Deal the struggle was primarily local, directed against repression by police, sheriffs, prosecutors and mobs. Under the New Deal, while the chief instruments of repression are still local, the fight against them has also been carried to Washington. Furthermore, larger issues of control have been sharply raised in relation to national means of communication and expression,—the radio, press and motion pictures. For the first time in the Union's history the larger portion of our jobs has been directed to Washington rather than to local governments.

While the struggle between capital and labor is the most vital application of the principle of civil liberty, other aspects of freedom of agitation are profoundly affected by New Deal policies. During the year an uproar has been created in the press over the alleged censorship of newspapers through the press code. Attacks on the Administration for alleged pressure in denying critics access to the radio have been loud. Federal censorship of movies is seen in the industry's code. All these controls over the chief means of communication have been attacked by both conservatives and radicals as threats to the freedom of press, freedom of the air and freedom of expression.

Censorship of course is an inescapable power of government, despite constitutional guarantees. The law has long
permitted effective censorship by the post-office over the mails and therefore over the press. Radio is inevitably subject to public regulation of the limited wave lengths available. While this power lies with the government, the record does not show that it has been so exercised over the past year as to justify the charges made against the New Deal. So far under the New Deal there has not been a single case of exclusion of a paper from the mails nor denial of second-class mailing privileges—a considerable improvement over the record of the Hoover regime. The publishers won in the present code a rather hollow victory by a restatement of the constitutional provision for freedom of the press. That the licensing power of the NRA might attack a critic of the government is possible; it is highly unlikely. That critics of the New Deal have been kept off the air by station managers is reported from a score of critics. But no evidence has come to light to show that the Federal Radio Commission has encouraged any such policy or that any agency of the Administration has been party to it. That the radio has been freely used by administration spokesmen on invitation of station-owners is admitted. But these practices do not constitute governmental censorship. The passage of the Administration's Communications Bill putting control over the radio and wire communication under a new commission may result in a thorough overhauling of our present entirely unsatisfactory radio set-up, through reassignment of wave lengths to break up the present monopoly and with some guarantee of easier access to the air by minority groups.

Control of motion pictures by federal agencies has also been agitated. A bill presented to Congress was so strongly fought that it did not come out of committee. But the motion picture code under the NRA offers an opportunity for federal control not contemplated by those who oppose political censorship through law. While the code does not yet censor films, the power to do so is obviously there, and the insistent public demand for cleaner films may well invoke it.

The Civil Liberties Union has fought these tendencies
toward censorship, maintaining that control of films, like the control of books and newspapers, should be left solely to criminal prosecutions with the judgment of a jury as the single determining factor. Juries represent public opinion far better than professional censors.

THE treatment of minorities under the New Deal has shown considerable improvement. Aliens have fared better; the American Indian has been given a new charter of freedom by restoring his lands and tribal governments; progressive steps have been taken in freeing colonial peoples from imposed American rule; and even Negroes under a Democratic administration have received unprecedented attention.

Despite the severely restrictive laws against aliens, the Department of Labor has liberalized its regulations at those points where laws do not interfere. The secret service section of the Department of Labor was abolished, alien students in colleges and universities were permitted to get work to help them through. For the first time in over ten years, radical aliens have been permitted to come to the United States as visitors. Two well-known Communists, Tom Mann and Henri Barbusse, were permitted to conduct lecture tours against war and fascism. Emma Goldman, deported anarchist, was allowed to return to visit her family and friends and to appear upon the lecture platform. A citizens' commission appointed by the Department to overhaul both laws and regulations, made specific recommendations for liberal measures which, however, were not introduced in Congress in time for passage. Deportations on political grounds have diminished. Lawless methods by agents of the Department of Labor have been firmly dealt with.

All of which is not to say that the New Deal has achieved a really liberal policy toward aliens. The bars are up. Congress is thoroughly restrictionist. Political asylum is denied to hundreds of bona-fide refugees from Fascist dictatorships. Congress has moved only to extend asylum to reactionary
Russians, who after recognition of the Soviet government, might now be deported. The inquisition into prohibited political views and beliefs of all incoming aliens and of aliens resident in the country still marks the law.

In colonial policy the New Deal has taken steps with effects making for greater liberty, even though the motives were plainly commercial. The Philippines have been set on the path to independence, and meanwhile a liberal-minded Governor General administers affairs for the United States. The marines are about to be withdrawn from Haiti together with direct American fiscal control if the Haitian Senate accepts alternative control by bondholders. Extensive aid has been rendered to the Virgin Islands, though it still awaits a code of civil government by Congress. A bill to replace naval rule in Samoa by civil government met defeat for the second time. Only the major issues of colonial policy have engaged the New Deal's attention.

A check on conditions throughout the country was made, as is our custom, by circularizing our correspondents. Replies were received from 111 of them in 42 states. Half of them reported no change under the New Deal in freedom to conduct propaganda. Thirty-eight thought this freedom was distinctly greater. In nine cities only they reported it less.

Over half the correspondents report that minority groups among workers and farmers are more active than a year ago. In only a few centers was less activity reported. Among these minority groups, the unemployed occupied by far the largest area of agitation, with farmer and trade-union groups second, and the Socialist and Communist parties third. Communist agitation, however, is expressed through other than party organization,—the unemployed and trade-union groups,—and therefore is not always directly in evidence.

Despite the record of interference with strikers, a surprisingly large number of correspondents reported little or no interference with freedom of assembly. Out of 111 communities, cases of interference were reported from only 22.
It is significant that a majority of our correspondents thought labor's rights were unchanged under the New Deal; that labor still has precisely the same battle as before to organize, strike and picket. Thirty-one were of the opinion that labor was freer; ten that it was less free. Many of these conflicting reports are obviously due to sectional differences.

The areas of the country where the record shows civil liberties most steadily violated remain practically unchanged,—California, Pennsylvania, the Illinois coal fields, New Jersey industrial towns, and the South wherever Communist organizers penetrated.

An inquiry as to the extent of the influence of the semi-Fascist organizations, such as the Silver Shirts, Friends of New Germany, Ku Klux Klan, etc., brought almost universal response that they are weak everywhere. Tendencies toward the organization of this new form of political revolt are apparent enough, but they are reported as confined to a few sections of the country or to foreign-speaking populations reflecting old world conflicts.

A SUMMARY of liberty under the New Deal in its first year can be thus interpreted from the record:

First, we have had no wholesale suppression because there is as yet no significant opposition to suppress. The government is too well supported to fear criticism either from the extreme right or the extreme left.

Second, the central struggle involving civil liberties, that between capital and labor, has been greatly affected by the New Deal—first by encouraging the formation of trade-unions, and second, by not vigorously backing up that encouragement in practice. The government has not intervened to stop employers' interference with union activities. It has not outlawed company unions. It has tended to restrict the right to strike. It has discriminated against left-wing and independent trade unions. It has not given labor repre-
sentation on the code authorities. The present tendencies are to take labor into camp as part of the governmental industrial machine and thereby to lull opposition to sleep by making the workers believe the government will look after their interests.

Third, in those great channels of communication,—radio, movies and the press,—the New Deal has not moved contrary to the charges of its critics, to restrict the radio, to censor the movies nor to gag the press. The power to do it is there, but it has not yet been misused. Yet unless that power is changed, the danger is always present.

Fourth, the encouraging aspects of the New Deal in relation to rights and liberties are the more tolerant policies toward aliens, toward Indians, the President's amnesty on Christmas restoring civil rights to those convicted under the Espionage Act during the war, and the treatment, for example, of the bonus army in Washington last summer, in contrast to its treatment under the Hoover administration.

It is obvious, therefore, that in those fields where economic issues of power and privilege do not involve its policies the New Deal makes for a larger exercise of civil liberty. But where those policies affect the profits and power of the ruling economic class, it is timid or ineffective. Despite the unparalleled power of the federal government, effective control over the exercise of civil liberties in the United States rests where it always has been,—with the masters of property.
DESPITE the far-reaching legislation of the Roosevelt administration extending federal regulation to practically every aspect of economic life, no significant test cases have reached the higher courts. No decisions affecting civil liberties were handed down during the year by the U. S. Supreme Court.

In Maryland, where a test case arose a year ago on the right of students in the State University to be exempt from military training, the Court of Appeals reversed the lower court which had ruled in favor of the students. The U. S. Supreme Court refused to review the case. A similar case arose in Los Angeles where Methodist students, expelled on the same ground, brought suits. Their attorney, John Beardsley, chairman of the Southern California Branch of the Union, took the case through the California courts and to the U. S. Supreme Court, which has granted a review. The case will be argued in the fall on points which distinguish it from the Maryland case.

Significant in its possibilities is the habeas corpus suit brought by counsel for Tom Mooney in California with the intention of taking the case to the U. S. Supreme Court. Significant also are two cases now in the federal courts involving a test of the Norris-LaGuardia anti-injunction law—one in Illinois, the other in New York.

Only one decision by a state supreme court bears directly on issues of civil liberty. That decision, by the Court of Errors and Appeals in New Jersey, knocked out a particularly sweeping injunction denying the right to strike on the ground that strikes are outlawed by the NRA. The Court of Appeals in New York State, it may be noted, reversed a conviction for carrying red flags, merely referring to the U. S. Supreme Court decision of two years ago in the California red flag case. Among a few lower court decisions of general interest was that of Judge Morris A. Soper of the U. S. Court of Appeals at Baltimore in handling the disbarment case against a lawyer, Bernard Ades. Judge Soper discussed at length the rights and duties of attorneys volunteering their services in cases of the character frequently taken up by the Civil Liberties Union. Copies of his opinion are circulated by the Union.
Laws

BILLS involving issues of civil liberty took secondary place in a Congress occupied with major issues of government regulation of business, of relief and of finance.

Four measures championed by the Union and supporters of civil liberty were the Costigan-Wagner bill providing federal intervention to punish lynchers or state officials who fail to act; the administration measure restoring to American Indians their lands and tribal autonomy; the administration measures recommended by the so-called Ellis Island Committee to the Department of Labor, liberalizing the immigration and deportation laws, and the administration Communications Bill in relation to radio censorship. The Indian and Communications bills passed.

In the few state legislatures which met in 1934, issues of civil liberty arose only in Wisconsin, New York, Massachusetts and New Jersey. In Wisconsin supporters of voluntary as against compulsory military training won a fight against the reactionaries. In New York anti-labor injunction bills sponsored by the Union, the Federation of Labor and other agencies failed of passage, despite the Governor’s support. A bill repealing the unique theatre padlock law passed the legislature, but got a veto from the governor on the protest of New York City officials. The attempt to abolish the state motion picture censorship, despite vigorous support and a strong public hearing, failed. A D. A. R. bill to impose special oaths of loyalty on school teachers not taken by other public servants got through the legislature but was vetoed by the governor. A unique bill popped up in the legislature the last week, passing the Senate without a public hearing or a roll call. It was intended to penalize pro-Nazi propaganda, but its language was so vague that it could be used to attack free speech on all sides. The bill was defeated in the House. The Civil Liberties Union took an active part on all these bills.

In Massachusetts the labor injunction bill which twice passed the lower house in previous years was again introduced, vigorously backed by the State Federation of Labor and the Massachusetts Civil Liberties Committee. It is still pending.

In New Jersey a bill similar to that in New York aimed at pro-Nazi propaganda passed the House on a patriotic appeal, and without a dissenting vote. Similar to the New York measure, it went even further in
penalizing propaganda which “stirs up domestic strife.” Seeing the far-reaching possibilities of abuse of such legislation, it was held in committee by the New Jersey Senate.

**Political Prisoners**

**A**fter failure with successive administrations, the Union finally got before the Roosevelt administration successfully a plea to restore the rights of citizenship to some 1500 persons who lost them by convictions under the espionage act during the war for anti-war utterances. None of the persons so convicted has since had the legal right to vote, serve on juries, hold office or in certain states to get licenses for professions. The President’s proclamation made public on Christmas Day restored those rights to them all. The United States is the last country in the world to have taken such action in regard to war-time opponents by speech or print. The only war-time cases still undisposed of are a few conscientious objectors tried by military court on the technical charge of desertion, who alone among objectors lost their citizenship rights. These few cases the Union has put before the War Department for action by the President to restore their rights.

The campaign for the freedom of Mooney and Billings was continued during the year, chiefly by the Tom Mooney Council for Action formed at a national congress in Chicago a year ago. The Council built up support among trade unions primarily. It publicized a film on Mooney’s case. It circulated widely a resolution calling on the President to support federal court proceedings by intervention of the Attorney General. The Council was, however, disbanded at the request of Tom Mooney because it conflicted with his own Tom Mooney Molders Defense Committee with headquarters in San Francisco. All of the Council’s assets and files were turned over to that committee. Roger Baldwin acted as its treasurer.

Most significant of recent moves in the Mooney case was the filing of a petition of writ of habeas corpus in the federal court at San Francisco by John F. Finerty of Washington, associate volunteer counsel with Frank P. Walsh. The application for a writ was denied and is now on appeal to the Circuit Court of Appeals. It is the only legal action to free Mooney yet untried.

One man remains in prison in the Centralia, Wash. case of 1919. Ray Becker, last of the seven men, refuses to accept a parole like the others
and desires court action instead. Efforts have been made by the Union and other friends to get the Governor to commute his sentence to the time served, as an alternative to parole.

No prisoners are serving sentences under the criminal syndicalism or sedition laws in any state, though an unusual number of prosecutions were brought,—in California, Illinois, Tennessee, Washington, Michigan, Iowa and Utah. No convictions have resulted.

Prosecutions in a coal strike in Carbon Co., Utah brought criminal syndicalism charges, not yet tried. Two of the men so charged, however, Guynn and Crouch, were found guilty of riot and sentenced to terms up to two years. The cases are on appeal.

The anti-red flag law was invoked in New York State against two Socialists, Jack Altman and Alex Retzkin, arrested at the instance of American Legionnaires offended at a red flag carried at the head of a little parade in September, 1933. Convicted in the lower courts they appealed. The Court of Appeals recently reversed the conviction on the precedent of the U. S. Supreme Court decision in the Stromberg case in California. The decision in effect wipes out the New York anti-red flag law. Red flags are now prominently carried in radical parades in New York City.

Two directors of a Young Pioneers' summer camp at Michigan were recently convicted under a similar red flag law in prosecutions also forced by the American Legion. Their case will be appealed by the I.L.D.

In Tampa, Fla. our attorney by appeal to the Supreme Court secured a release of four cigar workers convicted among thirteen for alleged attack on two policemen in a demonstration during a strike in 1932. The men had served some months of a long sentence.

In Georgia, Angelo Herndon, Negro Communist youth, organizer of the unemployed, rests in prison under the longest conviction for political opinions since the war. Condemned to 18 to 20 years last year, his appeal to the Georgia Supreme Court has just been decided and the conviction upheld. Attorneys are preparing to appeal to the U. S. Supreme Court. The Civil Liberties Union has aided the International Labor Defense in raising funds for the appeal and in publicizing the case.

Herndon is the first victim of an old statute of reconstruction days penalizing incitement to insurrection. Six other organizers of the unemployed are out on bond awaiting trial in Atlanta on the same charge.
The Scottsboro Boys

IN THE Scottsboro case, international symbol of "black justice" in southern courts, the Union has continued to aid the International Labor Defense by raising money from friends for the expensive appeals to the higher courts. Several thousand dollars have been so raised and turned over to defense counsel for specific purposes.

The decision of Judge James E. Horton granting a new trial to one of the boys, Heywood Patterson, was so striking a document against the prosecution's case that the Union has distributed it widely in mimeographed form.

Aliens

THE "New Deal" in the Department of Labor operates within the confines of some of the most restrictive immigration and deportation statutes in the world. Congress has laid down the law, and discretion by the Secretary of Labor is pretty well limited. Within these narrow limits, the Department has at numerous points liberalized the regulations and practice.

Efforts to change the laws were made in a series of bills, most of which were suggested by the so-called Ellis Island Committee appointed by the Secretary of Labor to study the whole treatment of aliens and to recommend changes. The report was made to the Department in April and published. Many of the recommendations were embodied in bills and promptly introduced. Congress, however, took a narrower view. One bill intended to permit political refugees in the United States to remain was so changed on the floor as to confine its provisions solely to reactionary Russians,—Czarists and enemies of the Soviet government. Not a voice was raised in behalf of the traditional principle of asylum for political refugees. The Union urged the President to veto the bill on the ground that any provisions for political refugees should not be discriminatory. The bill was signed.

Significant of the new attitude of the Department of Labor was the admission for the first time since the war of avowed alien radicals as visitors. Legal authority was found to permit entry. The Department granted permission to Tom Mann, British Communist labor leader, to come to the country to lecture on war and fascism, and to Emma Goldman, deported in 1920, to return for a lecture tour to the country which she regards as
home. Henri Barbusse, French Communist writer, international secretary of the League Against War and Fascism, was also admitted to attend a congress in New York and to lecture throughout the country.

The Department has had under consideration for months more lenient provisions in regard to the admission of refugees from the Nazi dictatorship. Various Jewish organizations have put proposals before the Department to make easier admission by posting in the United States bonds against such aliens becoming public charges and by waiving requirements for police documents not available to German refugees. The Union backed the proposals. The Department of Labor has not yet announced its policy for handling what it expects will be a considerable number of refugees under new regulations.

The deportation policy of the government remains practically unchanged. Comparatively few cases involving political opinions, however, have arisen. When they do, aliens whose views or activities would result in prosecutions in their home countries are allowed to depart voluntarily at their own expense to some other country. The Union contested one case in Detroit, Tom Andonoff, alleged Communist, but was unable to secure cancellation of the warrant, though the evidence seemed to us slight. Andonoff, a Bulgarian, departed voluntarily to Russia.

The Department's deportation policy was somewhat modified by the disaffiliation of the Trade Union Unity League in the United States from the Red International of Trade Unions in Moscow. Severance of these ties made possible a decision by the Department of Labor not to deport members of left-wing trade-unions on the ground of Communist affiliation. As a result the long-outstanding warrant against Frank Borich, secretary of the National Miners Union, was cancelled, together with warrants against other members of that and other left-wing unions. Recognition of the Soviet Union makes it now possible for the government to deport to Soviet Russia, and to serve some hundreds of warrants outstanding against Russians, among them a few score of political cases. No move has yet been made to put the warrants into effect.

Two cases involving revocation of citizenship on grounds of political belief came up,—one that of Emil Gardos in Milwaukee, alleged to have been a Communist at the time of naturalization; the other, that of Benjamin Gerjoy of Pittsburgh, member of the National Miners Union at the time of naturalization. Gardos' case has been taken up on appeal in the courts, the
Civil Liberties Union assisting; the Gerjoy case is being reconsidered by the Department of Labor, since the National Miners Union has dropped its International Communist connections.

Several policies of the previous administration, resulting in widespread criticism, were reversed. The secret service section of the Immigration Service was abolished; the order for finger-printing incoming aliens was revoked; and the ban on gainful employment by alien students was so changed as to permit bona-fide students without other means of support to earn money. Raids on alien quarters have been stopped, as well as the use of threats of deportation by employers to help break strikes. Only occasionally are such activities now reported in any district.

While occasional lawless activity by agents of the Department of Labor is called to our attention, it is usually promptly corrected on appeal to the authorities at Washington.

**Labor Injunctions**

In the two years which have passed since the enactment by Congress of the Norris-LaGuardia anti-injunction bill, no federal injunction was issued up to a few months ago. In March, a federal judge in Illinois granted an injunction to the Laclede Steel Co. of Alton, Ill., enjoining members of the Amalgamated Association of Iron, Tin and Steel Workers from engaging in certain acts during a strike. The court went beyond acts of violence, enjoining other acts protected by the Norris-LaGuardia law. A basis was therefore laid for an appeal. The Civil Liberties Union is taking an active part with the attorneys for the Amalgamated Association in laying the ground work for appeal. It seems not unlikely that the case will go to the U. S. Supreme Court.

The constitutionality of the act has, however, already been upheld by two United States District Courts and by one Circuit Court of Appeals. A District Court in Michigan has recently declared the law constitutional; the U. S. District Court in Delaware in the famous Weirton case upheld the constitutionality of the law, holding that it applies to the government as well as to employers. The United States Circuit Court of Appeals of the Second Circuit at New York recently reversed a judgment of the United States District Court in favor of the employers, and held the law constitutional. The employers are appealing to the U. S. Supreme Court. This is likely to be the first test case to reach the Supreme Court.
A unique injunction was that issued by a state court in South Dakota against a militant organization of farmers enjoining them from all sorts of activities relating to resistance of foreclosures, and striking at their organizing activities themselves. Called into the case by the United Farmers League, the Union's attorneys prepared the briefs, and handled the defense. At the trial, the injunction was dissolved and the entire proceedings dismissed. Seventeen farm leaders charged with riot were promptly acquitted.

Among the most sweeping recent injunctions were those issued by Vice-Chancellors in New Jersey. One handed down by Vice-Chancellor Fallon in Bayonne against members of the American Federation of Silk Workers went so far as to hold that a strike was in itself a violation of the NRA. Taken to the higher courts by attorneys for the workers, the Court of Errors and Appeals rendered a unanimous decision in April, scoring the Chancellor and upholding the right to strike, organize and picket in vigorous terms.

The effort to extend state anti-injunction laws was continued. Results up to the spring of 1934 are shown clearly on the map opposite. Results on the bills in the Massachusetts and New Jersey legislatures are still uncertain, as indicated in the comment on "Laws" above. Efforts will be made to push the legislation at the earliest opportunity in New York, where frequent injunctions are a constant infringement of labor's rights.

Strikes

The encouragement of workers to organize trade unions under the presumed guarantees of Section 7A of the Recovery Act has resulted in the bitterest industrial conflict of years. On the one side stand the workers determined to form trade unions and to bargain collectively with their employers. On the other, stand employers determined not to recognize independent unions and to form so-called company unions of their own. Where workers have resisted company-controlled unions, employers have not hesitated to use every weapon in the arsenal of repression to smash independent unionism.

The record of conflict during the year is one of the longest and most widespread in years. Troops have been called out in five states against strikers. Over forty injunctions have been issued by state courts restricting or suspending the rights to organize, strike and to picket. Police and deputy sheriffs, aided by the private gunmen of the employers, have at-
Limiting injunctions, providing jury trials for contempt of court, and abolishing "yellow-dog" contracts.

Limiting injunctions, but not abolishing "yellow-dog" contracts.

Abolishing "yellow-dog" contracts.

State Laws Limiting Labor Injunctions
tacked picket lines and strikers' meetings wholesale. More than 15 strikers have been killed on picket lines or in demonstrations; 200 have been wounded; and several hundred prosecuted—all attempting to exercise their "rights."

In the midst of this conflict the federal government has attempted to act as mediator and conciliator. Federal agents have at once gone into every strike area and have attempted either to postpone the strikes or to refer them to the National Labor Board with a view to holding an election among the workers. In extreme cases the President has been called upon to use his powers to avert strikes. The federal government, however, has not taken a position against company-controlled unions. It tends dangerously to cripple the right to strike by postponement of strike action, conciliation and responsiveness to pressure from organized employers.

The Union has persistently opposed various forms of the so-called Wagner labor adjustment bill in the Senate under which the right to strike is inevitably curtailed by arbitration machinery. We have urged specific outlawry of company-controlled unions. On these two points chiefly the Union opposed the bill through its Committee on Workers and Farmers Rights.

Strikes or threatened strikes have marked all the great unorganized industries. Most of them involved workers already affiliated with the American Federation of Labor or desirous of affiliation. In a few industries workers turned to the left-wing industrial unions led by the Communist Party. The attack upon them was even more bitter than on unions with more conservative leadership. Notable among the gains for unionism was the organization of the coal miners in Gallup, N. M., in the left-wing National Miners Union. They maintained a strike for weeks against militia, prosecution of their leaders and semi-starvation. The Civil Liberties Union aided in their fight through Edward D. Tittmann of Hillsboro, N. M., a member of our National Committee who volunteered his services in efforts to upset martial law and the trials which took place under it.

Wherever the Union has been called upon in the many conflicts, our attorneys and friends have responded. A considerable portion of the effort of both the national and local committees during the year has gone into service to help maintain strikers' rights. Conspicuous among the services rendered was that of the Southern California Branch of the Union in Imperial Valley and San Joaquin Valley (See their report on page 32).
The Union took occasion to lodge a complaint with the Secretary of Labor against one notorious red-baiter in the Department of Conciliation, Charles G. Wood. He has flourished during several administrations. He was recently removed from his post by the Secretary of Labor. Complaint was also lodged against the activities of Edward F. McGrady, Assistant Secretary of Labor in using his official position in behalf of the A. F. of L. as against independent left-wing unions in industries where both unions were organizing. Charges against Mr. McGrady filed with the Secretary of Labor have not been answered.

The warfare between two unions in the Illinois coal fields continues without solution. The Progressive Miners, holding contracts with a minority of operators, seek to gain recognition for their union. Confident that they are in the majority they have agreed to any poll of the miners to determine their preference of affiliation. The United Mine Workers oppose such a poll, seeking refuge in the contract with the Illinois Coal Operators Association, controlling a majority of the mines. Conflicts between the two unions have resulted in bloodshed, prosecutions and wholesale interference with meetings, organizing activities and picket lines. The Civil Liberties Union has endeavored to aid toward a solution by backing up court cases and appeals to the NRA. Decisions of all the government boards stand by the existing contracts challenged by the Progressive Miners. No proceeding has advanced settlement.

Freedom of Assemblage

While the usual police interference with radical meetings cropped up in a score of places, and while the Union contested interference, often with success, two new issues of assembly arose during the year which aroused both our friends and critics; one the right of Nazi spokesmen and sympathizers to hold meetings, the other the clash between Socialists and Communists at a Madison Square demonstration against Austrian fascism in February.

The right of the Nazis to hold meetings on property controlled by the City of New York was sharply challenged in a hearing before Mayor O'Brien in December. The City Hall was packed, chiefly by opponents. The Civil Liberties Union urged that the best way to expose the aims of the Nazis was to permit them to meet. The Union also held that champions of
civil liberty should not play favorites, and that rights can be won for any group only by maintaining them for all. The Mayor declined to allow the meeting to take place on city property.

The disruption of a Socialist-led meeting at Madison Square Garden against Austrian Fascism at once brought protests to the Union against the tactics of alleged Communist disturbers. The Union appointed a Commission of Inquiry which heard witnesses and rendered a public report condemning the Communist Party for direct incitement in print to breaking up the meeting. The report occasioned sharp differences of attitude in the Board of Directors. Dissenting reports were filed by Mary Van Kleeck and Robert W. Dunn, stressing the right of a section of the audience to protest against alleged “Fascist” speakers, and by Norman Thomas against strictures in the report on the handling of the meeting by those in charge.

Police Repression

The usual scores of petty cases of police persecution of radicals, unemployed and strikers arose throughout the country. Viewed in perspective, the police are by far the most active agents of interference with the rights to meet, speak, distribute literature and to picket in strikes.

Among significant cases aided by the Union were these:

Attacks on Communist organizations in New Orleans, particularly during a city election campaign; together with third degree methods by the same police force.

In Columbus, Ohio, the police attacked members of the Unemployed League at protest meetings against evictions, and beat demonstrators. One of the demonstrators, William Reich, was not only beaten but later arrested, charged with disorderly conduct and destruction of property. He was convicted and appealed.

At Ford Hall Forum, Boston, a demonstration by anti-Nazis protested a speech by a Hitler supporter. A number were arrested for disturbing the peace and inciting to riot. They received three month sentences and appealed. The Union's offer of assistance was declined by the local International Labor Defense on the ground that we had advocated the right of the Nazi speaker to address the forum.

In Jersey City the police have continued high-handed practices in making arrests under “a disorderly persons” ordinance, holding the prisoners incom-
municado. The law is being tested on appeal. Constant conflict takes place between Jersey City police and demonstrators or pickets. The Union is tackling the problem with test cases in the courts.

In Bridgeport, Conn., under a Socialist administration an unemployed demonstration under Communist leadership was attacked by the police. Leaders were arrested. One conviction is on appeal. Other charges resulted in acquittal.

Wherever Communists have attempted to organize in southern cities, the police have at once responded by breaking up meetings, confiscating circulars, searching radical headquarters and making arrests. Such police repression marked Memphis, Birmingham and Atlanta during the year.

Other instances of conflict with the police over the right of assembly are noted in the reports of our local committees.

May Day throughout the country passed off with comparatively little interference. Only in two cities did the police prohibit parades or demonstrations—Birmingham, Ala., and Detroit, Mich. The tactics of the Boston police in staging a police riot drill near the May Day meetings brought a sharp protest from the Massachusetts Civil Liberties Committee.

The Union urged its local committees to take up the abolition of so-called "radical squads," "red squads" and "bomb squads" of the police departments on the ground that these are provocative agents, stirring up the very trouble they are presumed to prevent. Local committees were also urged to investigate third-degree practices and to adopt specific remedies proposed to the Union by a committee of distinguished lawyers, some of whom prepared the report on third-degree practices for the Wickersham Commission.

Political Meetings in Public Schools

Political meetings in public school buildings are commonly held in many sections of the country. Discrimination against minority political parties is also common. The Union sent out a questionnaire to school boards concerning their practices and published the results in a pamphlet "School Buildings as Public Forums."

Among cases contested by the Union's representatives were discrimination by the Los Angeles school board and the New Orleans school board. Attorney Isaac Heller, himself a member of the school board, rendered
valiant service, after public opinion had been excited by a Communist speaker advocating Negro and white equality with many Negroes in the audience.

In Union City, N. J., the authorities refused a local Taxpayers' Association the right to use a school auditorium because of its controversial character.

In Bakersfield, Cal., despite an excellent state law, the board refused the schools both to the Socialist Party and the Civil Liberties Union. Our attorney, R. W. Henderson, filed a test case in the courts. It is still pending.

Censorship

Issues of censorship of radio, movies, books, and the press arose constantly, and for the first time in years on a national scale. Charges were levelled freely at the restrictions by the New Deal on freedom of the press through the newspaper code and at radio propaganda by government spokesmen to the exclusion of critics. The National Council on Freedom from Censorship, which does the Union's job in this field, investigated these charges in relation to the few specific allegations which could be secured.

Examination of the newspaper code in relation to press censorship resulted in a public statement and in letters to the authorities, pointing out that the Post Office Department under the law already has complete control of matter sent through the mails and that no provisions of the newspaper code went nearly so far. The indirect power to censor is there. So it is in all governments.

While radio station managers on the whole have prevented critics of the New Deal from voicing their views, there is no evidence of administration pressure on station managers. Criticism of the NRA broke through in various debates and in recent months has been freer. Few cases of censorship over speeches by speakers with contracts have occurred. Chief of the issues of radio censorship was the Communications Bill in Congress creating a commission with control over all forms of communication, with provisions for greater freedom on the air.

More important from our point-of-view was the recommendation of a special committee on radio censorship appointed by the Union for an independent federal inquiry into the present radio set-up controlled by the two major broadcasting companies. No progress was made in getting the resolution before Congress, but the Communications Act as finally passed indicates that the whole set-up will be reexamined. The report on radio censorship
was widely distributed by the Union. Assistance was rendered in the preparation of a pamphlet on "Order on the Air" by James Rorty covering the whole field.

On movie censorship the Union entered its protest against a bill in Congress to establish federal censorship of movies. Efforts were made in New York State to repeal the state motion picture censorship. Despite a good hearing and strong endorsement, the bill did not get out of committee. In Pennsylvania steps were taken toward investigation of the deletions made by censors. In Chicago and Detroit issues of local censorship of movies on political grounds arose and were contested.

Notable among court decisions of recent years in regard to books alleged to be obscene was that of Judge John M. Woolsey of the District Court at New York City admitting James Joyce's "Ulysses," barred from importation to the United States. The new district attorney has appealed Judge Woolsey's decision. Meanwhile the book is freely sold. The Union has distributed Judge Woolsey's opinion widely. One disputed book, Peter Neagoe's "Storm" published in Paris and long held up, was finally released by the District Attorney's office at New York. The few other books held up by the Customs Department await a final decision in the Ulysses case. No criminal prosecutions of any book of literary merit have come to us, nor any prosecutions of a play.

Issues of censorship by the licensing authorities in several cities have arisen, notably in New York City in relation to burlesque houses and the sale of periodicals on newsstands.

The barring of the Nudist Magazine from the mails by the Post Office Department on the ground that nudity per se is obscene was challenged by the Union. A suit has been filed in the U. S. District Court at New York.

**Freedom in Schools and Colleges**

So sharp is the protest when any clear-cut issues of academic freedom are raised that schools and colleges have learned pretty well to avoid them. Instead of discharging or disciplining teachers or students for political or economic opinions and activities, school authorities resort to the subterfuges of "economy," "departmental changes" and failure to renew appointments without giving the grounds.

With this new set-up, comparatively few cases have arisen during the
year. One at Rollins College, Winter Park, Fla., attracted national attention when Prof. John A. Rice was dismissed for criticizing certain college policies of the administration of President Hamilton Holt. Other professors resigned in support of Prof. Rice. An investigation committee of the American Association of University Professors condemned the college administration’s action.

In a private college in St. Paul, Minn., Dr. Walter S. Rider, for seven years professor of sociology, was dismissed in the spring without charges and without a hearing, but apparently for his liberal views. McAlester College is a denominational institution. No legal redress was possible as no contract was violated. The Union’s attorneys explored the issue thoroughly. Publicity and an investigation by the American Association of University Professors were the only outcome.

One case came to the Union from a high school at LeRoy, N. Y., where Cecil Crews, a teacher in history and economics was refused renewal of his annual contract, for which no reason was given. A student strike in protest charged that he was dropped because of his liberal views. There being no legal case, the Union gave the facts considerable local publicity.

Among the college students too, few issues have arisen. At Oberlin College, Ohio, a student paper, “Progress,” organized by a radical group, was suppressed by faculty vote after the paper had attacked college investments in the Aluminum Corporation of America and otherwise offended college sensibilities. Protests and petitions availed nothing.

In Syracuse, N. Y., the established policy of suppression of liberal student activities continued, unmatched so far as we know in any university. Students sign “yellow-dog” contracts agreeing to their dismissal at any time without hearing and without stated cause. Student criticism of compulsory military training is suppressed; the student paper is censored; even a private forum for students off the college grounds was closed. The student peace council was abolished. Protests by leading members of the alumni have brought no change.

Our Committee on Academic Freedom prepared a statement of “Principles of Academic Freedom” in order to put precisely and inclusively all the issues affecting freedom of teachers and students, both in colleges and secondary schools, and sent it out broadcast to superintendents of education, college presidents and educational journals, inviting comment. The com-
mittee hopes by this means to obtain more general agreement and observance of the practices recommended.

In the legislatures, the only educational issue involving civil liberty was the continued effort of the D.A.R. to impose compulsory oaths of loyalty on school teachers. Bills were defeated in four states. One finally passed in New York but was vetoed by the Governor on the ground that teachers like other civil servants already take an oath to support the Constitution and that the bill was so worded that it might apply to private as well as public schools. The Union’s committee actively campaigned against these bills.

**Lynchings**

The lynching record for the calendar year 1933 jumped from a low of the year before to 28. Of these four were white men. Most shocking of all these cases was the lynching of two kidnappers in San Jose, Cal. taken from the city jail and hanged in the public square by a mob, hundreds of whom were known to the authorities or to one another. Worse than the lynching was its approval by Gov. James Rolph, Jr., of California who had announced in advance when threats of lynching were in the air that he would not send in troops to protect the kidnappers. He cancelled a contemplated trip out of the state so that the acting governor would not “call out the troops on him.” The Governor elaborated his statements by publicly approving the lynching and stating that if any lynchers were convicted he would pardon them. He even suggested that other kidnappers in prison might well be turned loose into the hands of the San Jose mob.

The Civil Liberties Union at once organized a national protest against the Governor’s commendation of lynching with its threat of incitement elsewhere. The Union dispatched its Los Angeles attorney, A. L. Wirin, to the scene where he and Ellis O. Jones of the Southern California Committee remained several weeks running down clues to identify the perpetrators. After promises of cooperation by the prosecutor, the whole investigation resulted in a whitewash. General opinion in California was evidently with the Governor. The Union offered $1,000 reward for information leading to the conviction of any of the lynchers. Nobody furnished any.

The Union also participated in the fight against lynching on the Eastern shore of Maryland where even the Governor was unable to induce the arrest of lynchers identified by state troopers. He was compelled to send in
militia to make arrests. Those arrested were promptly set free on writs of habeas corpus. No further effort was made to apprehend them. The Union posted a $1,000 reward for information leading to the arrest and conviction of any of the lynchers.

In Kentucky where in 1932 a white man had been taken from jail at Princeton and lynched, the Union offered a similar reward but without getting evidence. We thereupon moved to oust the jailer under a special Kentucky statute. The Governor removed him and appointed his wife to the job. After a perfunctory hearing the jailer was reinstated. The Civil Liberties Union's representative active in running down the lynchers was later elected overwhelmingly to the state legislature.

This wave of lynchings resulted in new national efforts to pass a federal anti-lynching bill permitting the federal government to prosecute lynchers, and also state officials who fail to act within a reasonable time. The bill, introduced by Senators Costigan and Wagner, got a favorable report from the Judiciary Committee but died on the Senate calendar. The Union's representatives served actively in the national campaign committee. A special leaflet in support of the bill was sent out widely.

**American Colonies**

Withdrawal of American marines from Haiti by October, 1934, realizes one of the objects stressed by opponents of American imperialist policy in the Caribbean and one long insisted upon by the Civil Liberties Union. Coupled with it we have urged withdrawal of American financial control over the Haitian government in order to restore complete sovereignty to the Haitian people. A plan approved by the State Department transferring control to a national bank representing the interests of the foreign bondholders is before the Haitian Senate.

In the Philippines where some 23 Communists were convicted of sedition a year ago for organizing peasant and worker demonstrations, efforts have been made to secure pardons from Governor General Frank Murphy, following failure to get the cases before the U. S. Supreme Court because of delay in handling the case by the Philippine courts. Governor General Murphy indicated that he would give the cases sympathetic consideration, but so far as we are advised, formal applications for pardon have not been put before him. The men are in prison. One man, a lawyer, convicted under the sedition law in a separate case, was pardoned by the Governor General.
A bill to replace navy rule in Samoa by a civil form of government got through the Senate as it did a year ago, but was blocked in the House Committee. The bill was opposed by the Navy Department.

The bill for civil government for the Virgin Islands was not reintroduced in the recent session of Congress, due evidently to the pre-occupation of the officials of the Virgin Islands with economic reconstruction.

**American Indians**

The forces long urging drastic reforms in the government's treatment of Indians finally came into control of the Indian Bureau with the appointment as Commissioner of John Collier, former secretary of the American Indian Defense Association, backed by Secretary Ickes and by almost all the agencies defending Indian interests. The Indian Bureau has made sweeping changes in government policy. Restoring Indian tribal lands and tribal autonomy is the main purpose of an administration which is reversing the traditional policy of endeavoring to make white men out of Indians by individual property ownership.

This principle was embodied in bills introduced in Congress laying the foundation for independent activity by the Indians on their own reservations with a minimum of government supervision. Our Committee on Indian Civil Rights supported these bills by sending broadcast through the country a leaflet explaining them, and by constant publicity. The bill, in a form revised after numerous conferences between Commissioner Collier and the Indians, and finally passed by Congress and signed by the President, marks a milestone on the road to the Indians recovering their lost independence. Congress also passed a bill repealing the so-called espionage acts in effect since Indian war days, under which arbitrary powers were given reservation superintendents to prevent Indians from communicating with one another or with their sympathizers off the reservations.

In addition to the bills in Congress, departmental regulations have effected many changes in the Indian service in the direction of a larger exercise of civil rights, in advancement of Indian education, and in the common use of tribal property.

**Professional Patriots**

The professional patriotic societies remained comparatively quiet under the impact of the New Deal. On the whole Republican and conservative,
they have had little opportunity in face of the overwhelming support of the Administration to raise the familiar bugaboos of the red scare. The Administration’s recognition of Soviet Russia was accomplished with only a comparatively feeble comeback from these societies who have so long bitterly opposed recognition. Here and there they worked up a red scare for particular industrial purposes, as in Imperial Valley, Cal. and other strikes.

Similar in impulse to these organizations and new in form are the semi-Fascist “shirt” organizations which sprang up in various parts of the country during the year, particularly after Hitler’s accession of power in Germany. The Civil Liberties Union has published material in regard to these organizations in pamphlet form. A questionnaire sent to our correspondents and members throughout the country revealed comparatively little activity in the late spring of 1934, although considerable had been reported during the year. The financial difficulties of the leaders of the Silver Shirts with the suspension of their paper “Liberation” evidently deflated that movement. A prison sentence for perjury against the leader of the Khaki Shirts has apparently quite destroyed that outfit, which for a brief time attracted public attention in the East.
Program of Activities

Among the scores of issues and cases put up to the Union, the Board of Directors selected as a program of main activity the following points. Continuous work was carried on to realize this program. It still goes on. The results achieved during the year on these issues are indicated in the body of the report.

1. Unremitting defense of labor’s right to organize, strike and picket and to bargain collectively without restraint; and especially to oppose martial law in strikes.

2. Campaign to support changes in the immigration and deportation laws to end all inquisitions into political and economic views, to protect alien political refugees in the United States and to admit aliens to citizenship regardless of their views on public issues.

3. Campaign against the Post Office censorship, censorship of the radio and against the censorship of motion pictures in six states.

4. Further efforts in all larger cities to set aside special places in parks or on the streets where public meetings may be held without permit.

5. Campaign for state anti-injunction laws, modeled on the federal law, in the 1934 legislatures, particularly in New York and Massachusetts.

6. Aid in campaigns for the release of political prisoners,—particularly Mooney and Billings in California, Angelo Herndon in Atlanta, Ga., and against all prosecutions under sedition and criminal syndicalism laws.

7. Campaign against the unprecedented array of laws and regulations restricting freedom in education, both in schools and colleges.

8. Aid in the campaign against lynching; and in the struggle for Negroes’ civil rights.

9. National campaign against the police third degree in our cities, directed to specific remedies in law.

10. Civil rights for American Indians through a new “charter of rights” before Congress.

11. Civil rights for American colonies, and civil forms of government to replace naval rule.
Committees, Publications, Finances

Board of Directors and National Committee

The National Committee, advising the Board of Directors in developing the Union's general policies, numbers sixty-nine. The Committee lost by death during the year Morris Hillquit of New York who devoted much of his brilliant service at the bar to labor's rights. New members elected to the committee were John Beardsley of Los Angeles, attorney, chairman of the Southern California Branch of the Union; Charles H. Houston, Dean of the Howard University Law School, Washington, D.C.; and Henry T. Hunt, New York attorney and now an official of the federal government.

The Board of Directors, meeting weekly in active charge of the Union's affairs, was increased by the election of Miss Florina Lasker, chairman of the New York City Committee, and Miss Mary Van Kleeck of New York. A. J. Muste of the National Committee was also added to the board a year ago but not recorded in the last report. John Chamberlain and Henry T. Hunt resigned because of inability to attend meetings.

Local Committees

The reports given here do not include the activities of all our local groups throughout the country. They cover the continuously organized work,—in Southern California, Pennsylvania, the Chicago district, and New York City. In all these centers secretaries employed on full or part time keep the job going. In other cities the work is done solely by volunteers and is therefore less regular. Where emergencies arise, committees get into action. The following reports cite the chief activities.

Southern California Branch

A serum of strikes among California agricultural workers precipitated a deluge of violations of civil rights in Southern California during the year. California agricultural workers had not before been organized, but under the leadership of the Cannery and Agricultural Workers Industrial Union, berry pickers, beet field workers, cotton pickers, lettuce pickers, pea pickers and cantaloupe pickers have been organized into strong unions campaigning for higher wages and better working conditions.
As a result serious clashes have occurred in a number of areas,—El Monte, Oxnard, the San Joaquin Valley, and the Imperial Valley. Lawless repressive measures have been used by public officials to deny the rights to meet and speak and to picket during strikes.

In the San Joaquin Valley, where the union finally won an advance from 40 cents a hundred pounds to 75 cents for picking cotton, Vigilantes made their appearance. Several serious clashes took place, resulting in the death of three strikers and the wounding of several. Attorney A. L. Wirin of Los Angeles as our representative instituted heavy damage suits against lawless public officials charging them with malicious arrest and false imprisonment of strike leaders, in an unlawful conspiracy to break the strike. Upon refusal of the prosecuting officials to file any charges against the murderers, he caused damage suits to be filed against the wealthy ranchers who did the shooting. He also defended Pat Chambers, leader of the strike, indicted under California’s criminal syndicalism law. The trial having resulted in a hung jury, the proceedings were dismissed. Frame-up charges of murder against nine workers defended by Mr. Wirin, who represented them for the International Labor Defense, were also dismissed.

Imperial Valley for five months has been under a virtual Fascist regime to prevent the organization of workers. Due to the control of that area by the Shippers and Growers Association practically all civil rights of workers have been suspended. Field laborers have been tear-gassed by the police, beaten up, arrested on trumped-up charges, and thrown into jail, their homes illegally searched, and severe sentences imposed upon them and the so-called agitators sent to organize them. Vigilantes, originating in American Legion halls and fostered by both growers and officials, local and state, have run rampant. Four attorneys who went into the Valley to defend workers in the courts were either kidnapped, robbed, beaten up, or in one instance, jailed for many days. Attorney A. L. Wirin was one of the victims. It is noteworthy that the leader of the kidnapping party was dressed in the uniform of a State Highway Patrol Officer.

Other representatives of the Civil Liberties Union have been seized roughly by mobs, beaten, and left stranded in the desert miles away. A federal court injunction prohibiting interference with our meetings has been trampled under foot contemptuously by the ruling powers of the Valley. There is apparently a complete tie-up between police, public officials, growers, and Vigilantes to thwart constitutional rights. Appeals to the Department of Justice by the national office of the Union to send in United States
marshals to enforce the injunction have been refused for alleged lack of power, though the record is plain that marshals have often been sent in to enforce injunctions against labor.

The National Labor Board in February sent a commission into the Valley to investigate conditions. The commission condemned in clear-cut language the intolerable reign of terror and utter disregard of civil rights. General Pelham D. Glassford of Washington, D.C. was therefore sent into the Valley by three federal departments as conciliator. But conditions have not yet changed. A reign of terror still hangs over the Valley making it impossible for workers to meet and organize a union of their choice, or for members of the American Civil Liberties Union to hold meetings to champion civil rights. A company union, sponsored by the Mexican consul, has been set up. The workers are practically compelled to join it in order to secure jobs in the melon field. The federal authorities have been urged again and again to call an election of the workers to express their preference of unions, but have so far refused to do so. It is obvious that only an aggressive policy on the part of the federal government can halt this organized terrorism.

In Los Angeles the infamous Red Squad continues to serve well the enemies of labor. For a number of months some of the most lawless of its activities were curbed. This was accomplished when radical groups finally acceded to our suggestion that the best method of defense is offense. This offensive took the form of a veritable barrage of injunction and damage suits in the courts. Four injunction suits, both in the state and federal courts, were filed; all of them were successful. Captain William F. (Red) Hynes, and his squad were restrained from interfering with radical meetings, including those of the Communist Party. When a court awarded damages against members of the Radical Squad for breaking up a Communist meeting in a suit in which the Los Angeles Bar Association appointed an attorney to aid Mr. Wirin, interference with meetings stopped.

Other suits seeking damages included charges of assault and battery, unlawful arrests, malicious prosecution, false imprisonment and unlawful searches. In one suit the court awarded judgment of $75 and costs against Capt. Hynes for an unlawful search of the Communist Party headquarters without a search warrant, in the course of which the court found in effect that Capt. Hynes had committed perjury.

Under Mayor Frank L. Shaw, who came into office in June, 1933, the Plaza, traditional free speech area, has been reopened to mass meetings
by left-wing groups. At each mass meeting in the Plaza, police were dispatched to protect the assembled crowd instead of to break heads as under the former administration. In addition the holding of radical meetings has been freer all over the county. Following the disgraceful break-up of a Friends of the Soviet Union meeting at Polytechnic High School a year ago by the American Legion and the Red Squad, school buildings were thrown open as civic centers for holding all sorts of radical assemblages.

Recently, however, under pressure of the Los Angeles Times, the most bitter anti-labor sheet on the coast, and the American Legion, reaction has set in, due to the growing labor movement in Los Angeles. The Red Squad has been practicing some of its old tricks. Arrests on “suspicion of criminal syndicalism” unaccompanied by any prosecution, and violence and brutality, have been renewed. The patrioteers have induced the school board to reverse its liberal policy, and public schools are now closed to left wing organizations.

A new spear-head for the forces of reaction has been organized known as “American Institutions Incorporated,” with headquarters in the Chamber of Commerce Building. It is reported that this new organization is well financed and directed by a group of high-powered attorneys and big business men. Hynes and his Red Squad are returning to their former lawless practices. Recently thirteen people were arrested at a public meeting in San Pedro, where longshoremen nearly succeeded in tying up shipping, and jailed on “suspicion of criminal syndicalism.” This is the method used by Hynes in 1932 when 148 persons were similarly charged, though not one was ever brought to trial. Pressure is being brought to bear on hall-owners to cancel contracts for so-called radical meetings. Los Angeles is one of the chief centers for the organization of the Silver Shirts and other semi-Fascists.

Attorney A. L. Wirin of our staff, who was enabled by an appropriation from the national office to give his entire time to the work here from May, 1933 to March 1934, has been transferred to national headquarters, greatly to our regret.

Clinton J. Taft,
Director

Pennsylvania Civil Liberties Committee

The Pennsylvania Civil Liberties Committee was created five years ago for the particular purpose of conducting legislative campaigns against the many police forces primarily serving the interests of the employers in the
coal and steel industries. The legislative campaigns also included repeal of the sedition law and enactment of an anti-injunction bill.

With the accomplishment of a considerable part of the committee's legislative program, the state work was concluded at the end of the legislative session of 1933. Allan G. Harper, state secretary, resigned to take a position in a national organization. The state work was then divided into the Philadelphia and Pittsburgh Civil Liberties Committees; the issues arising in other parts of the state were left to the national office of the Union. The state committee is kept intact in name, ready for another legislative campaign when opportunity calls for it and finances permit.

The Philadelphia Civil Liberties Committee obtained the services of John V. Stanger as secretary and has carried on during the year a wide variety of activity, particularly in relation to the many strikes in the Philadelphia district. Legal aid has been organized through the secretary, particularly in the taxi-strike in which 55 attorneys marshalled by us, rendered service; the strike of the Campbell Soup workers in Camden, N. J. in a successful fight against an injunction; and in other local strikes in Philadelphia. In addition the attorneys defended cases in Lancaster, Pa. involving riot charges connected with evictions. Those convicted were later released on parole or pardoned through the activities of William Vincent Mullin, acting as attorney for the committee.

The committee has also supported an investigation into the state motion picture censorship but was balked by refusal of the board to publish its deletions. A formal appeal has been made to the Attorney General to compel publication with the thought of a mandamus suit if that recourse is possible.

Members of the committee cooperated with the Terzani Defense Committee in New York in running down evidence against the Khaki Shirts with headquarters in Philadelphia. Isadore Katz, attorney, rendered conspicuous service in obtaining evidence on which the real killer was finally brought to trial and the leader of the Khaki Shirts, Art Smith, convicted of perjury.

The committee has handled several deportation cases, police lawlessness, false arrests and a host of minor issues which constantly arise in the conflict between police and strikers or demonstrators.

The Pittsburgh Civil Liberties Committee without an active agent to handle detail was able to achieve under the new city administration the
repeal of the “Suspicious Persons” ordinance, long notorious in Pittsburgh as a means of police oppression. The new city administration, taking office in January, was opposed to it and cooperated.

Little or no difficulty has been experienced with meetings in public places. Freedom of meeting both in Philadelphia and Pittsburgh has greatly improved under the constant pressure of the civil liberties groups and others.

A campaign to open up the closed steel towns in the Pittsburgh district has long been contemplated by the Union through the Pittsburgh Committee, but was not undertaken because of the lack of organization among the steel workers themselves to back it up. Though these towns are lawlessly closed to any meetings on behalf of unionization, there is obviously no point in endeavoring to open them up until a union is ready to undertake the active job of organizing. The national office has made an appropriation for this purpose and the local committee has obtained the legal and other service necessary.

Massachusetts Civil Liberties Committee

Efforts to secure passage of the so-called Parks bill setting aside areas in city parks all over the state for public meetings free of police permits were not undertaken as in previous sessions of the legislature because a canvass showed no change of sentiment in the Senate, which has three times defeated the bill passed by the House. The committee concentrated its efforts on aiding the passage of the labor injunction bill sponsored by the Massachusetts State Federation of Labor.

The unique order of the Boston police department requiring the photographing and finger-printing of all Communists arrested was the subject of protests to the higher police authorities without result; and thereupon a determination to force the issue into the courts on a test case. One such has apparently arisen from the violent police break-up of a demonstration in Charlestown in May against the presence of the German cruiser Karlsruhe. A graphic account of that affair, backed by affidavits, has been published in pamphlet form by the Harvard Liberal Club under the chairmanship of a committee of students headed by Raymond Dennett who has also been acting as one of the secretaries of the Massachusetts Committee.

A test case of the Massachusetts “book law” under which so many books and publications have been barred from sale was sought, but no suitable
case has yet been found. The committee is also planning to investigate the unique Sunday censorship of moving pictures, which are free of censorship on week days.

**New York City Civil Liberties Committee**

The New York City Committee has considerably broadened its program and extended its services during the year. Fifteen new members have been added to the Committee, several of whom are active on special committees. An executive secretary has served on a half-time basis.

**Issues Involving the Police**

The Committee was disappointed in its expectation of a more liberal attitude from the police department under the Fusion Administration. The police under Major General John J. O'Ryan have repeatedly violated civil rights, showing a worse record than under the more tolerant preceding commissioner, James S. Bolan.

Protests were lodged with Commissioner Bolan under the O'Brien administration against police interference with the rights of strikers of the Cornell-Dubilier plant in the Bronx as well as against similar interference with meetings and organizing activities of the Fur Workers Industrial Union. Both of these unions reported that the police attitude greatly improved.

Under the LaGuardia administration numerous instances of violent police interference with public meetings have arisen, particularly in relation to Communist, anti-Nazi, unemployed and Negro demonstrations. Open letters were sent to Commissioner O'Ryan protesting against police handling of an anti-Nazi demonstration of Columbia University students; against police brutality in breaking up a peaceful picket line of striking hotel and restaurant workers before the Waldorf-Astoria Hotel in February; against police precipitation of a "riot" before the office of the Austrian Consulate by brutally breaking up a parade; against use of violence and tear gas against a peaceful meeting of Scottsboro sympathizers in Harlem; against police handling of a student anti-war demonstration on the steps of the New York Public Library, and against extraordinary brutality in clubbing unemployed demonstrators before the City Welfare Department.

Shortly after the break-up of the Scottsboro demonstration, representa-
tives of our Committee and of the International Labor Defense visited the Mayor to protest the police handling of this meeting. The Mayor referred the matter to the Chief Inspector for investigation, ordering that attorneys for the Civil Liberties Union and the International Labor Defense be permitted to participate and cross-examine witnesses. The Mayor further requested A. L. Wirin, attorney for the Union, to submit a report of his findings. On the basis of evidence presented at the hearings, disciplinary proceedings have been instituted against two patrolmen involved.

Upon request of the Union and the I.L.D. police were ordered to keep away from a second Scottsboro demonstration held at the same place in Harlem. The meeting was held without any attending disturbances.

In response to our protest on the police handling of the anti-Austrian demonstration, an informal hearing was held before the First Deputy Police Commissioner. We presented seven or eight witnesses who supported our charges against the police. Unfortunately these witnesses were unable to identify the officers involved, so that specific charges could not be made.

Recently representatives of the national office and of the New York City Committee conferred with Commissioner O'Ryan regarding the general conduct of the police at these demonstrations. A special committee was thereupon appointed by us to study police regulations and to make precise recommendations for police handling of outdoor political meetings and parades. A careful report is being formulated for submission to General O'Ryan.

The Union has also urged the abolition of the Bureau of Criminal Alien Investigation whose activities are chiefly political, directed against suspected radicals and left wing labor organizers. Under Commissioner O'Ryan, the Bureau seems to have increased its persecution of alleged "reds."

**Legal Committee**

The Legal Committee has continued its work under the chairmanship of Miss Dorothy Kenyon. Its functions are purely advisory. Actual legal defense is handled by volunteer cooperating attorneys.

While we have not attempted to develop a comprehensive defense organization, we have handled upon request a large number of cases involving issues of civil liberties. The score of cases varied from disorderly conduct during strikes to violation of the obscenity laws and the rights of teachers
and students in public schools and colleges. In about half the cases the charges were dismissed. A few are on appeal.

Committee on Parks

A special committee was recently appointed to urge the Commissioner of Parks to designate places in parks for holding large outdoor public meetings. This was intended to furnish facilities in addition to the streets, as there are few places in the streets available for large assemblies. Following a conference with Commissioner Moses, he agreed to the general proposal. Definite localities have not yet been chosen.

Meetings on the City Hall Plaza are under control of the Mayor's office. Mayor LaGuardia, immediately after taking office, adopted the general policy of granting permits for public meetings and demonstrations on the Plaza.

The Commissioner of Licenses

Conferences were held by our representatives with the previous and present Commissioners of Licenses in relation to censorship of certain theatres by threat of revoking licenses, and over certain magazines by similar threats of revoking licenses of city news-stands. The law grants no such authority to the Commissioner, but efforts in court to upset his rulings have been ineffective because the action was informally taken merely by threats conveyed through the press and in conference. No license has been revoked, but the threats have been effective.

Academic Freedom

The special Committee on Academic Freedom, under the chairmanship of Reinhold Niebuhr, with Osmond K. Fraenkel as vice-chairman, has tackled all cases involving the rights of teachers and students in the public schools and colleges.

Numerous complaints of violations by the Board of Higher Education and the Board of Education have been investigated. Letters have been sent to the Board of Education protesting disciplinary action against teachers for exercising the ordinary rights of citizens to participate in public affairs. Extensive publicity has been secured. In one case the teacher was reinstated after our public protest. More important have been the legal services rendered several teachers against whom charges were made by the Board of Education. Some are pending in the courts.
Disciplinary action against students in New York public colleges and high schools has also been protested by letters to both the Board of Higher Education and the Board of Education. Among them was an open letter to the president of City College condemning the college authorities for calling the police on the campus during the one-day student strike against war in April. The faculty-student disciplinary committee of the College, in a report following the student strike, "deplored the presence and use of police on the campus . . . and condemned the person or persons who are responsible for calling out the police."

A successful mass meeting was organized by the Committee in the Stuyvesant High School auditorium in February to discuss the treatment of public school teachers and students who expressed unpopular views, or criticized school conditions of school authorities.

Recent cases and issues arising in the New York schools are presented in detail in a pamphlet issued last February by our Academic Freedom Committee, entitled "What Freedom in New York Schools?" It has been widely distributed.

Rules of the Board of Higher Education restricting student organizations and the discussion of public affairs were changed last fall to leave control largely in the faculties of the various city colleges. The change has brought little or no improvement. A survey of the present control of student activities was recently made by Herbert D. David, member of the New York City Committee and will be used as a basis for action.

The Committee recently sponsored a number of amendments to the Education Law and the by-laws of the Board of Education to protect teachers’ rights. They will be introduced in the New York legislature at its next session.

Florina Lasker,
Chairman

Chicago Civil Liberties Committee

The Chicago Committee covers issues arising in the whole district around Chicago, and particularly throughout the state of Illinois. The committee continued its work with a part-time executive secretary, Thomas M. McKenna, who resigned on June 1st to devote his time to the League Against War and Fascism. The committee has been without a regular chairman during the year. Prof. Robert Morss Lovett of the National Committee has acted in a supervising capacity. Mrs. Helen Ascher acts as secretary of the board.
The bulk of work by the committee necessitated some help from the national organization during the year to the extent of $260, matching money raised in Chicago.

In the Chicago district, conflicts continued with the police over street meetings and demonstrations. On one occasion three representatives of the Chicago committee were arrested when attending a peaceful demonstration of white and colored workers. They were acquitted in court. The committee aided the International Labor Defense in handling one case in which five persons charged with attacking a policeman, although they were three blocks away from the scene, were tried. One of them was sentenced to one to five years, the others fined $750. The theory of their responsibility for an act in which they did not participate is being appealed by the International Labor Defense. These are only a few of many instances of clashes between the police and street demonstrators.

For the first time in years, a public protest demonstration against a foreign government was permitted,—a Communist-led meeting against Austrian fascism in a southside park. The Chicago committee was successful in preventing police interference.

Among the variety of issues tackled by the committee was the discharge of relief workers for political opinions and activities; the reinstatement of a high school student, Milton Galatsky, suspended for opposing the R.O: T.C.; successful opposition to a proposal before the Chicago school board to impose special oaths of loyalty on school teachers; a protest against an attack on a Ukrainian Nationalist parade by Ukrainian Communists; and cooperation with Negro agencies in enforcing the equal rights law, and against police segregation of Negroes and whites at public gatherings.

In addition the committee took up the issue of the censorship of news reels by order of the Mayor of Chicago, who acted on representations from foreign governments displeased with the showing of Fascist activities. A move has also been made by the committee to cooperate with the Chicago Bar Association in an investigation of the police third degree.

A suit against the police brought two years ago by a sixteen-year old boy, Julian Hauseter, who was beaten up in a police station resulted in the acquittal of the police officer tried. This is unhappily the usual verdict in such cases.

The continuing warfare in the Southern Illinois coal fields constantly engaged the attention of the committee. No progress was made in opening
up the closed coal counties. Clashes between the United Mine Workers and the Progressive Miners continued, though with fewer casualties than last year. No settlement of the conflict by federal agencies developed, although many attempts have been made to overcome the contracts under which Progressives are shut out of mines in which they once worked. In efforts to suppress left-wing agitation, officials have recently resorted to charges under the criminal syndicalism law. Arrests were made in Montgomery County for “plotting to overthrow the government.” In Macoupin County, seat of the Progressive Miners, the sheriff forbade all left-wing meetings. Tom McKenna of the Chicago Committee who spoke at one free-speech protest meeting was himself arrested. The meeting was broken up and outside speakers forced out of town.

In Taylorville, heart of the southern coal-mining section, a Socialist meeting at which Norman Thomas was a speaker was broken up by tear-gas and Mr. Thomas arrested. He was quickly released. In this and other cases, the Chicago Committee lodged its protests repeatedly with the authorities and endeavored to arouse counter forces.

The Cincinnati Branch of the Civil Liberties Union has kept its eye on the police department in relation to public meetings and arrests in connection with strikes or demonstrations. Under the present City Manager no issue of the right of public assemblage has arisen in Cincinnati. The other incidental matters arising were easily disposed of.

St. Louis Civil Liberties Committee: Most of the activities of the St. Louis Committee have concerned cases in court ably handled by attorney Irving L. Spencer, backed by an advisory committee of lawyers. Most of the cases grew out of local strikes.

The New Jersey Civil Liberties Committee has endeavored to function as a state unit, as yet with incomplete organization. Local committees have tackled issues of police interference, arrests on suspicion and refusal of public meetings,—particularly in Jersey City, Union City, Bayonne and Newark. The committee is aided by attorneys from the national office.

Significant of the resistance to police oppression were the actions undertaken in Passaic and Jersey City. In Passaic the police made hall-owners submit the names of organizations and speakers in advance with a view to preventing any activities among textile workers by Albert Weisbord, leader of the 1926 strike. The national office and the New Jersey Civil Lib-
erties Committee together organized a series of meetings without police interference and finally were able to secure surrender of the lawless position taken by the police. Albert Weisbord spoke without interference. Even one conviction for distributing circulars announcing a meeting was reversed on application of the prosecutor himself who agreed that the ordinance should be so rewritten as to permit street distribution of non-commercial leaflets.

In Jersey City where the police have ruled with unusual high-handedness under the administration of Mayor Frank Hague, the Union sought a court order to protect a meeting in a private hall of CWA workers. When the case was called the police changed front, denying any intent to interfere. The meeting, under the Union’s auspices, was successfully held.
Publications

THE following pamphlets and leaflets were published by the Union, either directly or by its affiliated national organizations or committees in the year ending May, 1934. Mimeographed pamphlets of general interest are included.

LAND OF THE PILGRIM'S PRIDE 1932-33. The year's work of the Civil Liberties Union up to June. (72 pages.)

SCHOOL BUILDINGS AS PUBLIC FORUMS. A survey of discrimination against unpopular minorities in the use of public school buildings. (12 pages.)

WHAT FREEDOM IN NEW YORK SCHOOLS? A factual statement of restrictions on teachers and students in New York City schools and colleges. New York Academic Freedom Committee. (24 pages.)

THE PRINCIPLES OF ACADEMIC FREEDOM. A statement prepared as a basis for discussion and action by the Committee on Academic Freedom of the A.C.L.U. (4 pages.)

THE OLDEST AMERICAN GETS THE RAWEST DEAL. Committee on Indian Civil Rights. (4 pages.)

SUPPORT THE FEDERAL ANTI-LYNCHING BILL! (4 pages.)

STATE LABOR INJUNCTION LAWS. A summary of recent legislation with map. (4 pages.) Also Model State Injunction Bill with supporting brief. (26 pages.)

USE OF LABOR INJUNCTIONS IN NEW YORK, by Prof. Paul F. Brissenden. Mimeographed. (7 pages.)

REPORT ON INTERFERENCE WITH MADISON SQUARE GARDEN MEETING, N. Y. by a special Commission of Inquiry. Mimeographed. (12 pages.)


MEMORANDUM IN SUPPORT OF A BILL ABOLISHING THE CENSORSHIP OF MOTION PICTURES IN NEW YORK STATE; with supporting material. Mimeographed. (19 pages.)
"ULYSSES", opinion of Federal Judge John M. Woolsey on importation of James Joyce's classic. Mimeographed. (5 pages.)

Radio Censorship; Proposal for a federal investigation. A brief survey of freedom on the air, prepared by a Civil Liberties Union Committee, including Bethuel M. Webster, Jr., former attorney for the Radio Commission; Levering Tyson of the National Advisory Council on Radio in Education; Morris L. Ernst, Norman Thomas, and Henry J. Eckstein. Mimeographed. (9 pages.)

Martial Law in Strikes. A study, primarily for lawyers and students, of legal authority to declare martial law. Mimeographed. (16 pages.)

Opinion of Judge James E. Horton granting a new trial in the Scottsboro case. Mimeographed. (16 pages.)

Methods of Combating the Third Degree. A report to the A.C.L.U. by a committee of experts. Mimeographed. (7 pages.)

The Union promoted the sales of the following new books and pamphlets:

Report of the Ellis Island Committee, appointed by the Secretary of Labor to study problems relating to the admission and treatment of aliens, with recommendations for legislative and administrative action. (149 pages.)


Trial by Prejudice, by Arthur Garfield Hays. Accounts of the Scottsboro, Mooney-Billings, Centralia, Gastonia, Sacco-Vanzetti, Harlan, Ky. miners, Herndon cases. Covici, Friede. (358 pages.)

Periodical Publications

The Civil Liberties Quarterly, with a summary of the chief events, has been issued regularly, sent free to all Union members.

The Arbitrator, a monthly published by William Floyd, takes a page of notes on civil liberties issues prepared by the Union's office.
Weekly Press Releases go out to several hundred newspapers and periodicals all over the country and to friends interested to keep up with current happenings. Members of the Union who so desire get these bulletins for $1.50 a year.

The monthly Bulletin for Action telling our friends all over the country on what issues to act continues to go free to a mailing list of about 350 individuals and organizations.

The Union has aided financially in the publication of the bulletins of the International Juridical Association, an organization of lawyers interested in labor and civil liberties cases, ably edited. It is a practical service to lawyers all over the country. Subscription is $1.00 a year.

Finances

Receipts

The financial report covers the fiscal year ending Jan. 31, 1934, unlike the rest of the report which runs up to June. Despite the depression, receipts maintained last year’s level, which had however shown a substantial drop from previous years. The total number of contributors in all funds on the other hand increased slightly from 2900 a year ago to about 3200. Of these 500 were contributors to special funds, not members of the Union. Although the membership has increased, the average contributions have decreased, particularly in the larger amounts.

The largest contributors are Mrs. Margaret DeSilver who continues the contribution of her husband, Albert DeSilver, to the operating fund in the sum of $1,200; the Misses Deutsch and an anonymous donor, $1,000 each. Other contributions from $1 to $500 made up the operating fund receipts of $19,417. The following list shows the distribution of contributions and dues.

5 at $500 to $1200; 8 at $200 to $500; 15 at $100 to $200; 33 at $50 to $100; 65 at $25 to $50; 364 at $10 to $25; 2225 at $1 to $10.

In addition to the fund for carrying the Union’s overhead, members and friends together contributed to special funds during the year the sum of $4705. This enabled the Union to carry on court cases and campaigns.
which cannot be financed from regular receipts. These special contributions from members, sent largely in response to appeals for the Scottsboro defense, were matched by taking a slightly larger amount from the McMurtrie bequest which came to the Union a year ago.

**Expenditures**

Expenditures for the ordinary operating expenses of the Union decreased during the year without impairing efficiency. Economies under the pressure of prospective diminishing receipts cut the Union’s expenditures to $18,000 as against $20,500 the year before. Indeed this expenditure included for most of the year a new member of the legal staff working in California where one issue after another arose, necessitating a lawyer’s constant attention. A. L. Wirin, Los Angeles attorney, who rendered this service in California, is now on the staff of the national office.

Expenditures for special funds outside ordinary operations were $2530 in excess of the year before, $10,915 as against $8385. Of the special funds raised from our members, the largest single item was for the Scottsboro defense, $2,080, for which the Union appealed to aid the International Labor Defense in charge of the case.

The Union’s expenditures are kept at a low figure in comparison with the amount of work done, largely because of the extensive volunteer service rendered by lawyers and others throughout the country and by volunteers at headquarters. The loyal and generous support of members has made possible the maintenance of the staff and the work unimpaired.
TREASURER'S REPORT

Operating Fund

Balance from 1932 .......................................................... $ 318.03

Income:

  Contributions ......................................................... $19,117.87
  Literature sales .................................................... 107.57
  Interest income .................................................... 192.35

  ................................................................. $19,417.79

Expenditures:

  Executive salaries (including staff counsel in California for eight months, $800) ............. $4,100.00
  Office salaries .................................................. 6,244.17
  Rent and light ................................................... 1,549.00
  Stationery and printing ........................................ 1,046.30
  Pamphlets and literature (net) ................... 647.64
  Postage ........................................................... 1,725.15
  Telephone ......................................................... 588.88
  Telegrams and messenger service ..................... 332.05
  Bookkeeping and auditing ..................................... 313.82
  Multigraphing and mailing ............................... 472.93
  Office supplies and expenses ............................ 413.64
  Meetings and dinners (net) ................................. 63.82
  Newspapers and clippings .................................. 91.92
  Washington expenses ........................................... 185.71
  Depreciation of equipment ............................ 90.34
  Miscellaneous expenses ................................. 62.05

  ................................................................. $17,927.42

Surplus for the year ....................................................... $1,490.37

  ................................................................. $1,808.40

Deficits in Censorship and Injunction Funds charged off .... 926.47

Balance at the close of year ........................................... $ 881.93
Special Funds

1. Summary

This table shows total receipts and disbursements in all special funds outside the Operating Fund. The detailed accounts of each activity are given later. This page will make clear the operations as a whole.

<table>
<thead>
<tr>
<th>Special funds for defense in court</th>
<th>$8,513.45</th>
<th>$7,932.45</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aid to local committees</td>
<td>765.50</td>
<td>1,112.69</td>
</tr>
<tr>
<td>Censorship Fund</td>
<td>414.65</td>
<td>894.04</td>
</tr>
<tr>
<td>Injunction Fund</td>
<td>110.80</td>
<td>557.88</td>
</tr>
<tr>
<td>Mooney-Billings Campaign</td>
<td>212.00</td>
<td>135.71</td>
</tr>
<tr>
<td>Book Fund</td>
<td>176.37</td>
<td>282.94</td>
</tr>
</tbody>
</table>

$10,192.77 $10,915.71

2. Detailed Accounts, Special Funds

These are treated in two groups; first, special fund accounts, and second, trust funds. All the accounts show total receipts and expenditures to January 31, 1934. The deficits shown in two accounts totalling $926 were met from the balance shown in the Operating Fund.

1. SPECIAL FUNDS

Mooney-Billings Fund

Receipts:
Contributions, with pamphlet sales $212.00

Expenditures:
To Tom Mooney Molders Defense Committee 100.00
Postage, telephones, telegrams, miscellaneous 35.71

$135.71

Surplus for the year $76.29

NOTE: The McMurtrie Fund loaned to the Tom Mooney Council of Action $335, not included in the above statement.
Censorship Fund

This account covers the expenses of the National Council on Freedom from Censorship, organized by the Union in March, 1931, conducting its work from the Union's office.

RECEIPTS:
From contributions ........................................ $317.00
From McMurtrie Fund for attorney's expenses for censorship cases ......... 97.65

$414.65

EXPENDITURES:
Salaries ........................................... $136.98
Pamphlet printing .................................... 379.50
Stationery ............................................ 96.02
Postage .............................................. 83.50
Expenses in legal cases .............................. 87.55
Telephone and telegrams ............................ 80.24
Miscellaneous ........................................ 30.25

$894.04

Deficit for the year ................................ $479.39*

*Met from Operating Fund balance.

Injunction Fund

This account covers the work of the National Committee on Labor Injunctions, organized by the Union.

RECEIPTS:
Contributions, with sales of literature ...................... $110.80

EXPENDITURES:
Expenses of secretary .................................... $148.53
Expenses in legal cases .................................. 126.05
Postage .................................................. 129.50
Telephone and telegrams ................................. 89.00
Stationery and miscellaneous ............................. 64.80

$557.88

Deficit for the year ..................................... $447.08*

*Met from Operating Fund balance.
Book Fund

This fund represents receipts from sales of books.

Balance, 1932 .......................................................... $191.61

Receipts:

Sales ................................................................. $176.37

Expenses:

For books purchased ........................................... $282.94

Deficit for the year ............................................... $106.57

Balance at close of the year ................................. 85.04

Funds for Defense and Aid to Local Committees

This is the general account of funds contributed for defense in the courts both for specific and undesignated cases. In addition funds for the same purpose were taken from the McMurtrie Fund. Included in it also are contributions made by the national office to local committees, usually for specific court cases.

Balance from 1932 ............................................... $2,415.21

Receipts:

Contributions from friends ................................. $4,426.52

Contributions from McMurtrie Fund ..................... 4,852.43

$9,278.95

Total ............................................................... $11,694.16
EXPENDITURES:

1. For the Scottsboro, Ala. defense (met by contributions from friends, above, and McMurtrie Fund and turned over to Scottsboro counsel) ........................................ $3,124.90
2. Illinois coal fields warfare investigations, meetings and publicity ................................................................. 767.57
3. Appeal of convictions of Tampa, Fla. cigar workers imprisoned for a strike riot, and freed .................. 525.00
4. Attorney’s and court expenses in contesting martial law in the Gallup, N. M. coal fields ....................... 374.55
5. Defense of Angelo Herndon, Negro Communist, prosecuted for incitement to insurrection, Atlanta, Ga....... 252.83
6. San Jose, Cal. lynching investigation ..................................... 219.85
7. Attorney’s fee and expenses in case of Charles Webber, Easton, Pa. cited for contempt .................. 186.42
8. Defense of Athos Terzani, anti-Fascist, charged with murder, acquitted ........................................ 100.00
9. Attorneys’ fee in defense of textile strikers, Asheboro, N. C. ........................................ 100.00
10. Test of the “move-on” ordinance, Norfolk, Va. .................. 100.00
11. Test of deportation proceedings against Frank Borich, Pittsburgh ................................................ 100.00
12. Establishing citizenship of Al Raschid .......................... 89.00
13. Appeal from convictions of Alice Burke and Wirt Taylor, I.L.D. organizers, Fairfield, Ala. ................ 80.50
14. Costs in extradition proceedings against Robert Elliot Burns, “the fugitive from a chain gang”; Trenton, N. J. 72.50
15. Investigating Commission’s Report to the Governor of Kentucky on the Harlan strike ...................... 67.50
16. Deportation case of Tom Andonoff .................................. 60.00
17. Aid to I.L.D. defense of striking coal miners, Carbon Co., Utah ......................................................... 50.00
18. Investigation of Tuscaloosa, Ala. lynchings .................. 50.00
19. Miscellaneous cases in amounts under $50 .................... 595.00
20. Expenses of general counsel in handling cases ........... 185.00
21. Telephones, telegrams, postage, news clippings in connection with court cases .......................... 831.51

$7,932.45
### Aid to Local Committees

1. New York City Committee for office, salary, printing and other expenses ...................................... $525.65  
2. Chicago Civil Liberties Committee for office maintenance ................................................. 260.00  
3. Massachusetts Civil Liberties Committee for legislative work ................................................. 140.04  
4. Pennsylvania Security League for legislative campaign, printing ........................................... 100.00  
5. Philadelphia Civil Liberties Committee ...................................................................................... 62.00  
6. St. Louis Civil Liberties Committee for strike cases .............................................................. 25.00

$1,112.69  

Balance for year ................................................................. $ 233.31  
Balance at close of year .................................................... 2,648.52

### II. Trust Funds

**McMurtrie Estate**

Balance, 1932 ............................................................... $46,802.12

**Receipts:**
- Interest on investments ........................................ $1,306.48  
- Refund of bail bonds ............................................... 207.42

$1,513.90

**Expenditures:**
- For defense cases in court and aid to local committees .................................................. $4,852.43  
- For International Juridical Asso. toward printing of legal bulletins ................................ 100.00  
- To Censorship Fund for attorneys' expenses .......................................................... 97.65  
- For expenses of real estate and taxes .......................................................... 1,246.79  
- Loss on sale of securities .............................................. 613.95  
- Bookkeeping .................................................................. 40.00

$6,940.82  

Deficit for the year ...................................................... $ 5,426.92  
Balance at close of the year ............................................. 41,375.20

This balance is represented by bonds, stocks and equity in real estate at estimated market value at time of appraisal. The actual balance in cash as of Jan. 31, was $9,261.95.
LIBERTY UNDER THE NEW DEAL

Revolving Loan Fund

Principal, Feb. 1, 1933:

Loans outstanding ...................... $2,938.30
Cash in bank .......................... 411.09

$3,349.39

Bad loans written off by order of the Board of Directors (approved by the American Fund for Public Service) to the International Labor Defense national and district offices ............. 2,238.30

Principal, Jan. 31, 1934 ................ $1,111.09

Made up as follows:

Cash in bank ................................ $411.09
Loans outstanding .................... 700.00

Outstanding Loans:

For the Philippine sedition cases .............. $450.00
Pennsylvania Civil Liberties Committee ...... 250.00
Balance Sheet, January 31, 1934

A S S E T S

CURRENT ASSETS:
Cash in hand and in banks .................. $12,878.23
Accounts receivable, doubtful of collection .... 1,224.40
Loans receivable .......................... 490.00

$14,592.63

INVESTMENTS:
Stocks, bonds, mortgages and real estate, at book value ...... 35,001.89

FIXED ASSETS:
Furniture and equipment at depreciated value .............. 344.40

TOTAL ASSETS ................................ $49,938.92

LIABILITIES AND NET WORTH:

Accounts payable .......................... 676.94
Operating and General Reserve .................. $6,808.40
Trust Funds Reserve ........................ 42,453.58

Net Worth (subject to adjustment for difference between book value and market value of investments) .................. $49,261.98

TOTAL LIABILITIES AND NET WORTH ............. $49,938.92
Certificate

American Civil Liberties Union, Inc.

We have audited the accounts of the American Civil Liberties Union, Inc. for the year ending January 31, 1934, and, in our opinion, the accompanying Balance Sheet correctly sets forth the Union’s financial condition as of January 31, 1934.

COOPERATIVE LEAGUE ACCOUNTING BUREAU.

NOTE:—A complete copy of the auditor’s report will be sent to any contributor who requests it. It is not printed in full here because it is too technical to be understood without the explanations given in this report. The operating and special fund accounts given here are all taken from the auditor’s report.

The Union’s financial methods and accounting are endorsed by the National Information Bureau, 215 Fourth Avenue, New York City, an agency formed to advise contributors.
OFFICERS

Harry F. Ward, chairman; Helen Phelps Stokes, James H. Maurer and Fremont Older, vice-chairmen; B. W. Huebsch, treasurer; Roger N. Baldwin, director; Lucille B. Milner, secretary; Arthur Garfield Hays and Morris L. Ernst, counsel; A. L. Wirin, office counsel.

Edmund D. Campbell, Washington counsel

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Robert W. Dunn
Morris L. Ernst
Walter Frank
Arthur Garfield Hays
John Haynes Holmes
Quincy Howe
B. W. Huebsch
Dorothy Kenyon
Corliss Lamont
Florina Lasker
Lucille B. Milner

A. J. Muste
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Frank L. Palmer
Amos R. Pinchot
W. Charles Poletti
Eliot D. Pratt
Ira DeA. Reid
Elmer Rice
Roger William Riis
William B. Spofford
Norman Thomas
Mary Van Kleeck
Harry F. Ward

NATIONAL COMMITTEE

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Judge George W. Anderson
Dr. Harry Elmer Barnes
John Beardsley
Rev. Herbert S. Bigelow
Prof. Edwin M. Borchard
Dr. Richard C. Cabot
John S. Codman
Clarence Darrow
Prof. John Dewey
Dr. James H. Dillard
Robert W. Dunn
Sherwood Eddy
Elizabeth Glendower Evans
John F. Finerty
Elizabeth Gurley Flynn
Walter Frank
Prof. Felix Frankfurter
Kate Crane Gartz
Norman Hapgood
Powers Hapgood

Hubert C. Herring
Rev. John Haynes Holmes
Dean Charles H. Houston
Frederic C. Howe
Henry T. Hunt
James Weldon Johnson
Dr. George W. Kirchwey
Dr. John A. Lapp
Agnes Brown Leach
Dr. Henry R. Linville
Prof. Robert Morss Lovett
Mary E. McDowell
Anne Martin
Prof. Alexander Meiklejohn
Prof. Henry R. Mussey
A. J. Muste
Prof. Walter Nelles
Prof. William L. Nunn
Julia S. O'Connor Parker
William Pickens
Amos Pinchot

Jeannette Rankin
Prof. Edward A. Ross
Dean Elbert Russell
Rev. John A. Ryan
John Nevin Sayre
Rt. Rev. William Scarlett
Joseph Schlossberg
Vida D. Scudder
Rabbi Ahba Hillel Silver
John F. Sinclair
Prof. Clarence R. Skinner
Norman M. Thomas
Edward D. Tittmann
Millie R. Trumbull
William S. U'Ren
Oswald Garrison Villard
B. Charney Vladeck
George P. West
Peter Witt
L. Hollingsworth Wood
LOCAL COMMITTEES

ANN ARBOR BRANCH, 110 N. State St., Ann Arbor, Mich.
Rev. Harold P. Marley, chairman

CHICAGO CIVIL LIBERTIES COMMITTEE, INC., 160 N. LaSalle St., Chicago
Thomas McKenna, secretary (resigned June 1st)

CINCINNATI BRANCH, 147 Mason St., Mt. Auburn
Dr. W. O. Brown, chairman; Mary D. Brite, secretary

DETROIT BRANCH, 1976 Atkinson St., Detroit
Rev. John H. Bollens, chairman; Fannie Ziff, secretary

MARYLAND CIVIL LIBERTIES COMMITTEE, INC., 513 Park Ave., Baltimore
Dr. A. O. Lovejoy, chairman, Elisabeth Gilman, secretary

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